

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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**ATATEKS FOREIGN TRADE LTD, JORDAN
AND ATATEKS DIS TICARET A.S.,**

No. 07 Civ. 6665 (HB)

Plaintiffs,

-against -

**PRIVATE LABEL SOURCING, LLC,
AND SECOND SKIN, LLC**

Defendants.

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Defendant PRIVATE LABEL SOURCING, LLC, by and through its attorneys Nesenoff & Miltenberg, LLP, hereby submits its Initial Disclosures pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure. Defendant PRIVATE LABEL SOURCING, LLC reserves the right to supplement and amend these disclosures as discovery proceeds. The inclusion of documents in connection with this disclosure statement shall not be deemed to waive: (i) the attorney-client privilege and/or the work-product doctrine, either generally or as they may pertain to particular document; and/or (ii) objections to the admissibility of these documents at trial.

1. Rule 26(a)(1)(A) Disclosures:

Christine Dente
Private Label Sourcing, LLC
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2. Rule 26(a)(1)(B) Disclosures:

Defendant PRIVATE LABEL SOURCING, LLC objects to the production of those documents that are beyond the scope of discovery permitted by the Federal Rules of Civil Procedure. Further, Defendant PRIVATE LABEL SOURCING, LLC objects to the production of documents that are proprietary or confidential in nature as well as documents protected by the attorney-client privilege and/or the work product doctrine.

Notwithstanding the foregoing, Defendant PRIVATE LABEL SOURCING, LLC sets forth a description of documents that they may use to support their claims or defenses.

- A. Purchase Orders dated 2002 through November 2006;
- B. Debit Notes to Plaintiff for charge-backs;
- C. Claims from buyer for charge-backs and expediting charges;
- D. E-mails from buyer canceling orders;
- E. Invoices for mitigation sell off of cancelled orders
- F. Wire transfer receipts for payment of commissions owed by Plaintiffs;
- G. Wire transfer receipts for payment to Plaintiffs

Such documents are located at the offices of Nesenoff & Miltenberg, LLP, 363 Seventh Avenue, New York, New York 10001. Defendant reserves the right to amend and/or supplement this mandatory disclosure as discovery progresses.

3. Rule 26(a)(1)(C) Disclosures:

Defendant PRIVATE LABEL SOURCING, LLC's damages are computed by costs of charge-backs plus cost of late charges plus cost of cancelled orders plus expediting charges plus cost of commission to agent plus loss of sales to buyer.

4. **Rule 26(a)(1)(D) Disclosures:**

Defendant PRIVATE LABEL SOURCING, LLC is not aware of any insurance policy that would be applicable to satisfy part or all of a judgment which may be entered in the action or to indemnify or reimburse for payments made to satisfy a judgment.

Dated: **New York, New York**
April 18, 2008

NESENOFF & MILTENBERG, LLP
Attorneys for Private Label Sourcing, LLC

By:


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